IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.R.UDAYABHANU

THURSDAY, THE 13TH SEPTEMBER 2007 / 22ND BHADRA 1929

Crl.Rev.Pet.No. 680 of 2000()

CC.501/1996 of JUDL. MAGISTRATE OF FIRST CLASS, KUNNAMANGALAM
CRA.99/1999 of ADDL.SESSIONS COURT-II, KOZHIKODE

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REVN. PETITIONER:

CHANDRA BABU, S/O.SRI RAGHAVAN NAIR,
C-63 N.G.O QUARTERS, CHEVAYOOR,
KOZHIKODE.

BY ADV. SRI.N.HARIDAS
SRI.N.M.JAMES
SRI.DILU JOSEPH

RESPONDENTS:

STATE OF KERALA, REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR, SRI AMJAD ALI

THIS CRIMINAL REVISION PETITION HAVING BEEN FINALLY HEARD ON 13/09/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

ORDER ON CRL.M.P.NO.3739/2000 IN CRL.R.P.NO.680/2000

DISMISSED.

SD/- K.R.UDAYABHANU, JUDGE

13/09/2007

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K.R.UDAYABHANU, J.

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Crl.R.P.No.680 of 2000-B

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Dated this the 13th day of September, 2007

O R D E R

The revision petitioner is the accused in C.C.No.501/1996 in the file of the Judicial Magistrate of the First Class, Kunnamangalam, with respect to the offences under Sections 279 and 337 I.P.C and sentenced to undergo simple imprisonment for three months and to pay a fine of Rs.1000/- and in default to undergo simple imprisonment for one month under Section 279 I.P.C; to undergo simple imprisonment for three months and to pay a fine of Rs.500/- and in default to undergo simple imprisonment for one month for the offence under Section 337 I.P.C The sentences are directed to run concurrently.

2. The counsel for the revision petitioner has only pleaded for modification of the sentence pointing out that more than ten years have elapsed since the commencement of the proceedings and that the revision petitioner is employed in a quasi government institution, and if imprisoned he will be losing his job. It is also pointed out that only minor injuries have been sustained by the witnesses.

In the above circumstances and considering the plea of the revision petitioner, the sentence is modified to imprisonment till the rising of the court and to pay a fine of rupees one thousand for the offence under Section 279 I.P.C., and to pay a fine of rupees five hundred for the offence under Section 337 I.P.C and in default of remittance of the fine amounts, he shall undergo simple imprisonment for one month each. It is submitted that he has already deposited the fine amount. He shall appear before the Judicial Magistrate of the First Class-I, Kunamangalam, on 01/11/2007 to receive the sentence.

The criminal revision petition is disposed of as above.

K.R.UDAYABHANU,
Judge

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K.R.UDAYABHANU, J.

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Crl.R.P.No.680 of 2000-B

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O R D E R

13th September, 2007